

UNITED STATES DISTRICT COURT

for the
District of South Carolina

United States of America)

v.)

Darnell Leon Brown)

Case No: 8:05-812-02

USM No: 13065-171

Date of Previous Judgment: 11/30/2005)

James B. Loggins

(Use Date of Last Amended Judgment if Applicable)

Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 117 months **is reduced to** 106.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)Previous Offense Level: 21Amended Offense Level: 19Criminal History Category: IVCriminal History Category: IVPrevious Guideline Range: 57 to 71 monthsAmended Guideline Range: 46 to 57 months**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**☐ The reduced sentence is within the amended guideline range.☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.☒ Other (explain):

The new sentence is 46 months plus 60 months consecutive on Count 3 for a total sentence of 106 months.

III. ADDITIONAL COMMENTS

The parties are hereby notified of the right to appeal this Order within TEN (10) days from the date hereof,

Except as provided above, all provisions of the judgment dated 11/30/2005 shall remain in effect.

IT IS SO ORDERED.Order Date: June 02, 2008

s/ Henry F. Floyd

Judge's signature

Effective Date: _____
(if different from order date)

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